

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

PS – Education (SE) Department – Allegations of misappropriation etc., against Sri **P.Anjan Reddy**, former Project Officer, N.F.E., Bhongir, Nalgonda district (retired as MEO, Thurkapally, Nalgonda district) – **Suspension period** regularized as “**Not on duty**” – Orders – Issued.

EDUCATION [SE–Vig.I(1)] DEPARTMENT

G.O.Rt.No. 29,

Dated: 19.01.2009.

Read the following:

1. From the D.G., ACB., Lr.No.111/RCO/HND/94, dt.9.1.1995.
2. G.O.Ms.No.145 Edn.(Prog.II) Deptt., dt. 18.4.1995.
3. G.O.Rt.No.624 Edn.(Prog.II) Deptt., dt.29.4.1995.
4. Judgment dated 23.1.2006 of the Addl.Spl.Judge for SPE&ACB cases, Hyderabad, in C.C.No.21/95.
5. From the D.E.O., Ranga Reddy dist., Lr.No.5876/E4/2006, dt.4.9.2006.
6. From the DSE,Hyd., Lr.Rc.No.392/Vig.I/DSE/2006, dt.9.11.2006.
7. From the DEO, Nalgonda, Lr.No.2696/B1/2006, dt.7.5.2007.
8. Govt.Memo.No.11473/Vig.I(1)/2004-7, dt.26.6.2008.
9. From Sri P.Anjan Reddy, MEO(Retd.), Thurkapally, Nalgonda district, explanation dt.7.8.2008.

ORDER:

In the G.O. 2nd read above, orders were issued for prosecution of Sri P.Anjan Reddy, former Project Officer, N.F.E., Bhongir, Nalgonda District, on the allegations that he has drawn the salaries and kerosene charges to be disbursed to the instructors and forged the signatures of instructors on the acquittance rolls showing as if the amounts were disbursed to them and thereby misappropriated the said amounts totaling Rs.8,488/-. The ACB has filed Charge sheet in the Court of Addl.Spl.Judge for SPE&ACB cases,Hyderabad, vide C.C.No.21/95.

2. In the G.O.3rd read above, the District Educational Officer, Ranga Reddy District was appointed as Enquiry Officer against Sri P.Anjan Reddy, for conducting enquiry into the allegations of not maintaining the records properly and violation of instructions of the Government to disburse the salaries of Instructors / Supervisors through cheques etc. As reported by the Director of School Education,Hyderabad / D.E.O., Ranga Reddy district / D.E.O., Nalgonda, in the references 6th, 5th& 7th read above, enquiry was not conducted by the D.E.O., R.R.Dist., against Sri P.Anjan Reddy. It is noticed that the enquiry ordered in the G.O.3rd read above is not in accordance with rules as the Enquiry Officer was appointed straight away, without following the procedure laid down in A.P.C.S.(CCA) Rules,1991; and it may not be permissible to initiate departmental proceedings against him now under the provisions of rule 9 of A.P.Revised Pension Rules,1980.

3. Consequent on filing of charge sheet in the trial court, Sri P.Anjan Reddy was placed under suspension vide proceedings of DEO,Nalgonda, dt.13.12.1995 and subsequently reinstated into service vide proceedings dt.12.2.1999. He has retired from service as M.E.O., Thrakapally, Nalgodna district, on 31.8.2005.

4. The Addl.Spl.Judge for SPE&ACB cases, Hyderabad, in judgment dt.23.1.2006 in C.C.No.21 of 1995, found that the prosecution could not establish beyond reasonable doubt that the accused officer made false entries in the acquittance roll/register and misappropriated the amount of Rs.8,488 and the accused officer entitled to benefit of doubt and accordingly acquitted him of the charges.

(p.t.o.)

5. Sri P.Anjan Reddy was acquitted on benefit of doubt. The Hon'ble Supreme Court of India in Krishna Kanth Raghunath Bibhavnekar Vs.State of Maharashtra (1997 (3) SCALE 180). held that acquittal does not automatically entitle one to get the consequential benefits ; grant of consequential benefits with all back wages etc., can not be as a matter of course ; and it will be deleterious for the maintenance of the discipline, if a person suspended on valid consideration is given full back wages, as a matter of course, on his acquittal ; the authority may, on reinstatement, after following the principles of natural justice, pass appropriate order including treating the suspension period as a period not on duty.

6. In the Memo.8th read above, a show cause notice has been issued to Sri P.Anjani Reddy as to why his suspension period should not be treated as not on duty. Sri P.Anjani Reddy has submitted his explanation 8th cited, requesting to drop further action and to treat the suspension period from 23.12.1995 to 11.2.1999 as on duty.

7. After careful examination of the matter, Government have observed that the explanation of Sri P.Anjan Reddy is not convincing and he is not entitled for payment of back wages ; and decided to drop further action against him and to treat his suspension period as not on duty.

8. Accordingly, Government hereby **drop further action** against Sri **P.Anjan Reddy**, former Project Officer, N.F.E., Bhongir, (retired as M.E.O., Thurkapally), Nalgonda district, in the matter ; and his **suspension period** from 23.12.1995 to 11.2.1999 shall be treated as "**not on duty**".

9. The Director of School Education, Hyderabad, shall take necessary further action accordingly, in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.CHAYA RATAN
PRL.SECRETARY TO GOVERNMENT(SE) (I/c)

To
Sri P.Anjan Reddy, MEO(Retd.) through the D.S.E., Hyderabad.
The Director of School Education, Hyderabad.
Copy to :
The Regional Joint Director of School Education, Hyderabad.
Copy to the District Educational Officer, Nalgonda.
The Accountant General, A.P. Hyderabad.
The Director of Treasuries & Accounts, Hyderabad.
The District Treasury Officer, Nalgonda.
The Director General, Anti Corruption Bureau, Hyderabad.
The Secretary to V.C., APVC.
SF/SC.

// FORWARDED : BY ORDER //

SECTION OFFICER